

At a meeting of the Cumberland County Board of Supervisors held at 8:30a.m. on the 20th day of June 2007 at the Cumberland County Old Clerk's Office, Cumberland, Virginia:

Present: William F. Osl, Jr., Chairman, District 1
Clifton C. White, District 2
Van H. Petty, District 3
Elbert R. Womack, District 4
Howard Estes, County Attorney
Judy Ownby, County Administrator
Jill Matthews, Asst. County Administrator
Michael Cooper, Director of Community Development
Lee Leeds, Building Official

Absent: Robert J. Oertel, District 5

The Chairman called the meeting to order and the County Administrator called the roll.

Award of bids on Middle College renovation

On a motion by Mr. Osl and carried, the Board awarded bids on the Phase I renovation of the two-story building at the Luther P. Jackson school, and authorized staff to negotiate for the remaining work to be done at a cost not to exceed \$375,000. (Copy of bid documents in official Board file.)

Draper Aden proposal

A proposal was submitted by Draper Aden to evaluate pump stations for capacity and system future use. After discussion, the Board agreed to combine this analysis as a part of the overall water planning project.

Providing Water to outside customers

Several requests have been made by outside customers to purchase water from the County for such uses as filling swimming pools, etc. The Board referred the request to the Water & Sewer Advisory Committee for a recommendation on whether to allow this use, and rates which should be charged.

Charge to School for Water meter/connection

The Assistant County Administrator brought to the Board's attention that a meter must be ordered for the school since a second tap will be installed. The Board agreed that for accounting purposes, we must be able to track expenditures associated with the school's water usage, therefore, the school must pay for the meter.

Purchase of Development Rights (PDR) program

The Board agreed that funds released from the landfill escrow account will be transferred to the CIP fund, and that a portion will be used for the PDR program.

On a motion by Mr. Womack and carried, the Board designated \$100,000 from the CIP prior year funds, as a set-aside for the PDR program.

Vote: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – absent

Draper Aden proposal for additional groundwater monitoring wells at Hamilton landfill

A proposal was submitted by DAA to install additional groundwater monitoring wells at Hamilton landfill, as suggested by a DEQ report to the County. The Board requested that a representative from DAA meet with the Board to discuss the proposal and whether the wells are required by DEQ. Staff will attempt to schedule this for the July Board meeting.

Letter to Piedmont Regional Jail

As a follow-up to the support indicated by the Board of Supervisors at the June 12th meeting, and direction to the County Administrator to draft a letter, the Board took action to submit the following letter to the Piedmont Regional Jail Board:

“On June 12, 2007, the Cumberland County Board of Supervisors unanimously supported drafting a letter to the Piedmont Regional Jail, and took action on June 20, 2007 to submit a letter of support for the purchase of adjoining property, owned by Fuqua School. The Board is of the opinion that this property should be purchased due to the probability that the jail will need to be expanded in the future. Even if there is no plan or agreement to expand the jail in the immediate future, the Board supports purchasing the property in order to have that option available at a later date.

We understand that should the property be purchased, the intended source of funds would be the Piedmont Regional Jail.”

VOTE: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – absent

School Request for Supplemental Appropriation

On a motion by Mr. Osl and carried, the Board appropriated \$187,942 to the School Fund as follows (\$80,569.85, local; \$71,177.49, State; and \$36,194.66, federal).

VOTE: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – absent

Social Services Request for Supplemental Appropriation

On a motion by Mr. Petty and carried, the Board appropriated \$8,230.43 to the Social Services Fund, which is for refunds and reimbursements (no additional local funds).

VOTE: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – absent

Other supplemental appropriations

The Assistant County Administrator informed the Board that two departments (Sheriff and Legal) would be over budget by the end of year and would either need transfers to cover the expenditures, or supplemental

appropriations. The Board directed her to include the transactions on the year end list of budget adjustments.

On a motion by Mr. Petty and carried, the Board appropriated \$5,150 and \$5,067.61 to the Clerk of Circuit Court budget. The funds will come from State Technology Trust Fund and copy fees, no local funds.

VOTE: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – absent

Other

On a motion by Mr. White and carried, the Board authorized the Cumberland County Treasurer to return unspent grant funds in the amount of \$40,334 to the Library of Virginia. (Note: Library of VA was unable to find a vendor to do work for the counties, and therefore, will handle the project themselves—reformatting of chancery papers dated 1869-1912, and scanning all documents.)

VOTE: Mr. Osl – aye Mr. White – aye
 Mr. Petty – aye Mr. Womack – aye
 Mr. Oertel – absent

Cumberland Volunteer Rescue Squad

On a motion by Mr. Petty and carried, the Board adopted the following continuing resolution:

**BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA
AMENDED AND RESOLUTION
REORGANIZATION OF THE CUMBERLAND COUNTY
VOLUNTEER EMERGENCY SERVICES**

WHEREAS, the Cumberland Volunteer Rescue Squad, a non-profit organization, has been in operation for over 30 years, providing emergency patient care to the citizens of Cumberland County; and

WHEREAS, in recent years the membership of Cumberland Volunteer Rescue Squad has had a debilitating loss of volunteers, an inability to recruit new members, an inability to properly fill administrative offices, and an inability to staff appropriate personnel for emergency response coverage; and

WHEREAS, the administrative arm of Cumberland Volunteer Rescue Squad repeatedly has tried but has been unable to provide the direction necessary to resolve the many issues which have resulted in a major burden on the current volunteer operational officers, the active volunteer members, and other emergency services agencies that operate within Cumberland County; and

WHEREAS, the Cumberland Volunteer Rescue Squad, despite the best intentions and efforts of its members, is unable to remedy the overwhelming administrative and operational issues within the organization without assistance; and

WHEREAS, it is the responsibility of the Cumberland County Board of Supervisors to ensure the best interests, health, and public safety of its citizenry and that the Board of Supervisors seeks to ensure the protection and care of its citizens; and

WHEREAS, after considerable discussion and evaluation, the Cumberland County Board of Supervisors and emergency services leaders consider a reorganization of emergency services and administration thereof is in the best interest of the County's citizens; and

WHEREAS, the Cumberland County Board of Supervisors adopted a resolution on November 14, 2006 to effect such improvements in the operations and administrative oversight of the Cumberland Volunteer Rescue Squad; and

WHEREAS, it is further determined that the process set forth in such resolution has been effective but requires additional time for completion; and

WHEREAS, the Board seeks to amend and restate the terms in the November 14, 2006 resolution;

BE IT RESOLVED by the Board of Supervisors, as follows:

- a. The reorganization of the Cumberland County emergency services and its volunteer organizations shall continue to include the partnership with the Cumberland Volunteer Rescue Squad and Cumberland Volunteer Fire Department (the "Volunteer Organizations"), to wit:
 - the funding in support of the Volunteer Organizations shall continue to be dependent on the Volunteer Organizations operating under a partnership agreement. This partnership shall continue to function under one Leadership Team (detailed below) while maintaining two separate branches. This Leadership Team is empowered to act on behalf of the Volunteer Organizations in all capacities necessary for reorganization and continued operation of the Volunteer Organizations and for the betterment of emergency patient care in the County.
- b. The President and Captain (as set forth in the Attached Organizational Chart) will provide monthly progress reports to the County Administrator with periodic meetings to be held with an ad hoc committee (the "Leadership Team") comprised of the County Administrator, a Board of Supervisors Representative, the President and the Captain. A six-month review will be held to determine if the Cumberland Volunteer Rescue Squad has adequate membership and leadership to dissolve the partnership, if it will be necessary to continue with the partnership for another period of time, or if other action is indicated.
- c. To qualify for funding from the County, all Cumberland Volunteer Rescue Squad records will continue to be made available or presented to the County for audit and review. No one acting on behalf of the Cumberland Volunteer Rescue Squad may enter into any agreements, contracts or act in any position of authority, except with regards to patient care in the line of duty, other than by explicit approval from the President or Captain. The existing bylaws and standard operating procedures (SOPs) of Cumberland Volunteer Rescue Squad will continue to be in compliance with this Amended and Restated Resolution, and the Cumberland Volunteer Rescue Squad will continue to operate under the SOPs of the Cumberland Volunteer Fire Department and the rules/regulations of the Virginia Office of Emergency Medical Services (OEMS). Issues that arise that cannot be addressed by either of these resources will be addressed on a case-by-case basis in writing by the Leadership Team.
- d. Each of the Volunteer Organizations of this partnership shall remain separate by holding separate meetings and maintaining separate minutes, financial records, and rosters. All financial disbursements for the Cumberland Volunteer Rescue Squad will be subject to a review and approval process that includes authorization for payment by the responsible officer in charge and requiring the signature of the

President or Captain on all disbursements made by the Treasurer. Any Cumberland Volunteer Fire Department member appropriately certified and approved by the Captain will be given membership rights and added to the active roster within the Cumberland Volunteer Rescue Squad entity for the sole purpose of the betterment of patient care. Any Cumberland Volunteer Rescue Squad member who wishes to attain membership within the Cumberland Volunteer Fire Department will be subject to the application and approval process of the Cumberland Volunteer Fire Department.

- e. The County Administrator shall provide all Cumberland Volunteer Rescue Squad members with formal notice and copies of this Amended and Restated Resolution. Failure of any current member of the Cumberland Volunteer Rescue Squad to comply with the resolution and/or the efforts herein stated shall be removed at the direction of the Cumberland Volunteer Rescue Squad leadership.

BE IT FURTHER RESOLVED by the Board of Supervisors that this Amended and Resolution is hereby effective immediately.

Additional information

The Board rescheduled the August meeting to August 21st, and the December meeting to December 18th.

CLOSED MEETING

On a motion by Mr. Osl and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(7) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

The Board returned to regular session on a motion by Mr. Osl.

A motion was made by Mr. Petty and adopted by the following vote:

Mr. Osl – aye
Mr. White – aye
Mr. Petty – aye
Mr. Womack – aye
Mr. Oertel - absent

that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Cumberland County has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Cumberland County hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Cumberland County.

Purchase of emergency services vehicles from Goochland County

The Board's consensus was to purchase 5 emergency services vehicles from Goochland, and upon the final decision of the ESC on

distribution of the vehicles among the agencies, the County will issue checks to individual agencies to cover the purchase price.

The Chairman adjourned the meeting until the next regular meeting.

Chairman

County Administrator